

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 05-00595 WHA

Plaintiff,

v.

**ORDER GRANTING MOTION
TO PROCEED IN FORMA
PAUPERIS ON APPEAL**

SADELL CONRAD,

Defendant.

Defendant Sadell Conrad, acting *pro se*, moved this Court for reconsideration of the order denying his motion for a reduction of his sentence pursuant to 18 U.S.C. 3582(c)(2). The motion was denied on August 15, 2011. Defendant filed an untimely notice of appeal on September 19. At the direction of our court of appeals, this Court issued an order requesting defendant show excusable neglect for untimely filing of the notice of appeal. Defendant's response is due November 7. Defendant also submitted an affidavit and motion for permission to appeal in forma pauperis.

In a sworn statement, defendant states he has no income from any source, is unemployed, has no bank account, does not own a house or car, and does not have any other assets. Defendant is presently in prison. He states that he has not paid and will not pay an attorney for services in

1 connection with this case. Good cause shown, defendant's application to proceed in forma
2 pauperis on appeal is **GRANTED**. This order makes no comment as to whether excusable neglect
3 has been or will be shown for defendant's untimely filing of the notice of appeal.

4
5 **IT IS SO ORDERED.**

6
7 Dated: October 24, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE